

United States District Court  
Eastern District of New York

October 21, 2003

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William J. Higgins

Plaintiff

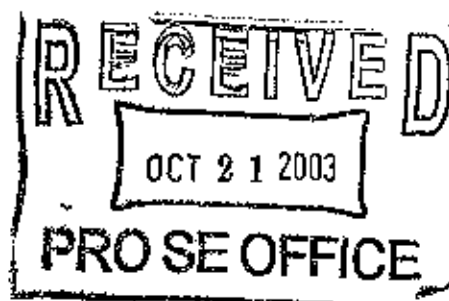
Case No. 02-CV-208(ARR)(LB)  
NEW YORK STATE SUPREME  
COURT Index No. 33710/03  
CROSS MOTION  
MOTION

against

General Mills Inc. et al,  
General Mills Inc. Chairman Stephen Sanger,  
Directors, Board of Directors, Distributors et. al.

Progresso Quality Foods et. al.  
Progresso Quality Foods, Directors, Distributors et. al.

Defendants  
-----X



CROSS MOTION

The plaintiff William J. Higgins at this instant moment requests by Cross Motion and moves this Honorable Court, The Honorable Judge Allyne Ross, The Honorable Judge Lois Bloom to issue instantly a Court Order denying fully defendants request to dismiss plaintiff's New York State Supreme Court Civil Action Index No. 33710/03 filed September 17, 2003. Such Action is a reasonable valid prudent sworn action and complies with Federal and State Rules. Further, such action incorporates respectfully appropriate New York Statutes and Law as well as historical precedents. The Action stands on its own integrity and merits. The plaintiff brought the Action in New York State to take advantage of New York Law and the Lexis Nexis Research of prior court decisions. The plaintiff after much consideration

now moves this court by this Motion to immediately consolidate the full and entire Supreme Court Action along with allegations, New York Statutes, New York Law and Appendix of prior historical court rulings, citations into Federal Case No. 02-CV-208(ARR)(LB). The defendants argue exactly the precise rationale in the alternate in their Notice of Motion Dated October 20, 2003.

The plaintiff has been substantially damaged by defendants. The attorneys for defendants have attempted to defeat this plaintiff by utilizing gutter tactics every step of the way to date.

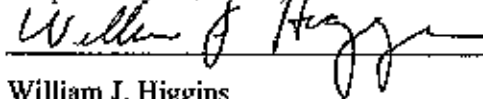
#### MOTION

The plaintiff further requests and moves this court by this Motion to Grant 30 Days extension to December 17, 2003 to complete Discovery, Interrogatories, Document Production Requests and Oral Depositions. Additional requests for Interrogatories, Document Production Requests and argument over defendants witness are currently before this court. The plaintiff who has signed confidential stipulation "Protective Order" is still awaiting further information from defendants. It is certainly reasonable to assume that thirty additional days will be required. Further, Oral Depositions must be delayed to November 17, 18, 19, 2003. Additional time is needed (approximately two weeks) to determine witness names and set appropriate Notice. The plaintiff moves this court by this Motion for additional time for Oral Depositions to dates reflected and Discovery end date of December 17, 2003.

The court is requested to delay October 28 and 29, 2003 Oral Depositions with such to be completed by December 17, 2003. Currently, Motions of October 13 and 15, 2003 which related to this matter are under Court Consideration.

Both the Cross Motion (to defeat defendants unreasonable, unintelligent attempt to dismiss) and Motions are certainly reasonable, lawful, prudent, wise and proper.

Respectfully submitted,



William J. Higgins  
86 L Glen Keith Rd.  
Glen Cove, New York 11542  
516 674-4366

United States District Court  
Eastern District of New York

October 21, 2003

-----X  
William J. Higgins

Plaintiff

Affirmation of Service

Against

02-CV-00208 (ARR)(LB)

General Mills Inc. et. al.

Progresso Quality Foods et. al.

-----X  
I, William J. Higgins, declare under penalty of perjury that I have served this day by  
*FEDERAL EXPRESS* a copy of this Cross Motion, Motion dated October 21, 2003 to  
Stuart M. Feinblatt, defendants attorney whose address is Sills Cummis Radin Tischman  
Epstein & Gross One Riverfront Plaza, Newark, New Jersey 07102-5400



*William J. Higgins*

William J. Higgins

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